


REMARKS

Initially, applicants' attorney notes that, as required by Rule 1.121, the claims to be amended by this Election and Amendment have been presented above with amendments in clean form, as well as in the final pages of this Election and Amendment in marked-up form to show the changes made.

With reference to the Office Action, it is noted that the Examiner has required applicants to elect a single species for further prosecution in the present application. In the regard, applicants' attorney wishes to take this opportunity to thank the Examiner and her supervisor for the courtesy of a most helpful telephone conference on March 25, 2002 during which the outstanding Office Action and restriction requirement were discussed.

After a conference with the inventors following the telephone conference with the Examiners, a variation to the position previously discussed was developed. Applicants wish to elect as species to be examined, methods comprising administration of compounds which contain D-Arg², D-Arg²⁸ and Har²⁹ in combination with Har⁹ or Arg⁹. These are representative of Peptides 1 and 3. 


Although the foregoing election is made without traverse, Applicants hereby reserve the right to file one or more divisional applications directed to the non-elected species of the present invention in the event no generic claim is found allowable. If a generic claim is found allowable, applicant understands that all species of the present invention will be entitled to examination.

In addition, also pursuant to the aforesaid telephone conference, by the foregoing amendments, new Claims 12-17 have been added to the present application to assist in focusing the Examiner's prior art search. More particularly, it is noted that new Claims 12-17 are directed to methods of administering certain highly preferred compounds and are within the scope of the original claims of the present application. The Examiner's attention is respectfully drawn to page 10 of the present specification, as well as the test data provided at pages 33-38 of the specification and the figures wherein Peptides 1 and 3 are discussed.

No fees are believed to be due in connection with the submission of this Election And Amendment. If, however, any such fees, including extension fees, are due, the Examiner is hereby authorized to charge them to Deposit Account No. 19-1218.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

New Claims 12-17 have been added.